



**REGULAR CITY COUNCIL MEETING
MEETING AGENDA
WEDNESDAY, JULY 12, 2017**

**Closed Session Meeting – 5:30 PM
Regular Meeting - 6:30 PM**

**City Hall – Beryl P. Robinson, Jr. Conference Room
317 Broad Street, Nevada City, CA 95959**

MISSION STATEMENT

The City of Nevada City is dedicated to preserving and enhancing its small town character and historical architecture while providing quality public services for our current and future residents, businesses and visitors.

Evans Phelps, Mayor

**Reinette Senum, Council Member
David Parker, Council Member**

**Duane Strawser, Vice Mayor
Valerie Moberg, Council Member**

The City Council welcomes you to its meetings which are scheduled at 6:30 PM on the 2nd and 4th Wednesdays of each month. Your interest is encouraged and appreciated. This meeting is recorded on DVD and is televised on local public television Channel 17. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Please turn off all cell phones or similar devices. Action may be taken on any agenda item. Agenda notices are available at City Hall. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Hall at 317 Broad Street, Nevada City, CA during normal business hours.

ANY MEMBER OF THE PUBLIC DESIRING TO ADDRESS THE COUNCIL ON ANY ITEM ON THIS AGENDA: After receiving recognition from the Mayor, give your name and address, and then your comments or questions. Please direct your remarks to the Councilmembers. In order that all interested parties have an opportunity to speak, please limit your comments to the specific item under discussion. All citizens will be afforded an opportunity to speak, consistent with their Constitutional rights. Time limits shall be at the Mayor's discretion. **IF YOU CHALLENGE** the Council's decision on any matter in court, you will be limited to raising only those issues you or someone else raised at the meeting or Public Hearing described on this agenda, or in written correspondence delivered to the City Council at, or prior to, the meeting or Public Hearing.

CLOSED SESSION MEETING – 5:30 PM

1. Pursuant to Government Code Section 54956.8, a closed session is requested with negotiators City Manager Mark Prestwich, Assistant City Manager Catrina Olson, Consulting Assistant City Engineer William Falconi and Consulting City Attorney Hal DeGraw regarding possible sale of City-owned property at 775 Zion Street.
2. Pursuant to Government Code Section 54957(b)(1) a closed session is requested with City Manager Mark Prestwich, Assistant City Manager Catrina Olson and Consulting City Attorney Hal DeGraw on a personnel matter related to the City Manager position.

REGULAR MEETING – 6:30 PM - Call to Order

Roll Call: Moberg, Parker, Senum, Vice Mayor Strawser, & Mayor Phelps

PLEDGE OF ALLEGIANCE

PROCLAMATION:

PRESENTATION:

BUSINESS FROM THE FLOOR

1. PUBLIC COMMENT

Under Government Code Section 54954.3, members of the public are entitled to address the City Council concerning any item within the Nevada City Council's subject matter jurisdiction. Comments on items NOT ON THE AGENDA are welcome at this time. Normally, public comments are limited to no more than three minutes each. **Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.**

2. COUNCIL MEMBERS REQUESTED ITEMS AND COMMITTEE REPORTS:

3. CONSENT ITEMS:

All matters listed under the Consent Calendar are to be considered routine by the City Council and will be enacted by one motion in the form listed. There will be no separate discussion of these items unless, before the City Council votes on the motion to adopt, members of the Council, City staff or the public request specific items to be removed from the Consent Calendar for separate discussion and action.

A. Subject: Fire Activity Report – May 2017

Recommendation: Receive and file.

B. Subject: Award of Contract for Storm Damage Tree Removal at Deer Creek in Nevada City

Recommendation: Pass a Motion awarding a contract to Tree Safe in the amount of \$33,504 plus \$5,000 contingencies for Storm Damage Tree Removal at Deer Creek and authorize the Mayor to sign.

C. Subject: Determination of Public Convenience and Necessity for F.M.O Inc. DBA The Magic Theater / The Onyx Theater

Recommendation: Pass Resolution 2017-XX authorizing the Chief of Police to make a Determination of Public Convenience and Necessity for F.M.O Inc. DBA The Magic Theater / The Onyx Theater located at 107 Argall Way in Nevada City.

4. APPROVAL OF ACTION MINUTES:

A. City Council Meeting – June 28, 2017

5. DEPARTMENT REQUESTED ACTION ITEMS AND UPDATE REPORTS:

- A. Subject:** Miners Trail Task Force Recommendations
Recommendation: Pass a Motion approving short and long terms solutions to address fire risk, environmental health and public safety concerns along the Miners Trail.
- B. Subject:** Monthly Update on City Council Six-Month Strategic Objectives
Recommendation: Receive and file.

6. PUBLIC HEARINGS:

- A. Subject:** Tentative Map for the Bungalows 6-Lot Multi-Family Subdivision at 601 Searls Avenue Together with a Site Plan, a Use Permit to Accommodate a Planned Unit Development, and Architectural Review
Recommendation: Find the project is exempt from environmental review pursuant to §15332 of the California Environmental Quality Act (CEQA) guidelines for projects characterized as infill development; Approve the Site Plan, subject to Conditions of Approval as may be modified at the public hearing, pursuant to Section 17.88.010 of the City Municipal Code; Approve the Tentative Final Map subject to conditions of approval as may be modified at the public hearing, pursuant to Title 16.04 of the Nevada City Municipal Code and California Government Code Sec. 66474; Approve the Use Permit allowing a Planned Unit Development to accommodate exceptions to lot size and property line setbacks subject to conditions of approval, or as may be modified at the public hearing; Approve the Architectural Review application for the six townhouse units and ancillary improvements, subject to conditions of approval or as may be modified at the public hearing, pursuant to Section 17.88.040 of the City Municipal Code.

7. OLD BUSINESS:

- A. Subject:** An Ordinance of the City of Nevada City for the Pre-zoning of 54.32 acres (including 17.5 acres of public right-of-way area) within the Unincorporated Area of Nevada County, Northeast of the City Limits (Second Reading)
Recommendation: Introduce for second reading an Ordinance for the pre zoning of the territory to be annexed, waive reading of the Ordinance; read title only, and adopt the Ordinance.

8. NEW BUSINESS:

- A. Subject:** Replacement of Nevada City Historic District Waste and Recycling Receptacles
Recommendation: Pass a Motion authorizing purchase of 20 replacement waste and recycling receptacles in the Nevada City Historic District in an amount not to exceed \$26,000.

9. CORRESPONDENCE:

10. ANNOUNCEMENTS:

11. CITY MANAGER'S REPORT:

12. ADJOURNMENT

Certification of Posting of Agenda

I, Mark Prestwich, City Manager for the City of Nevada City, declare that the foregoing agenda for the July 12, 2017 Regular Meeting of the Nevada City City Council was posted July 7, 2017 at the entrance of City Hall. The agenda is also posted on the City's website www.nevadacityca.gov.

Signed July 7, 2017 at Nevada City, California

_____, Mark Prestwich, City Manager

CITY OF NEVADA CITY City Council Long Range Calendar

July 26, 2017	Regular Council Meeting
August 9, 2017	Regular Council Meeting
August 23, 2017	Regular Council Meeting
September 13, 2017	Regular Council Meeting
September 27, 2017	Regular Council Meeting

NOTE: This list is for planning purposes; items may shift depending on timing and capacity of a meeting.

NOTICE: *As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council and to enforce the rules of the Council.*